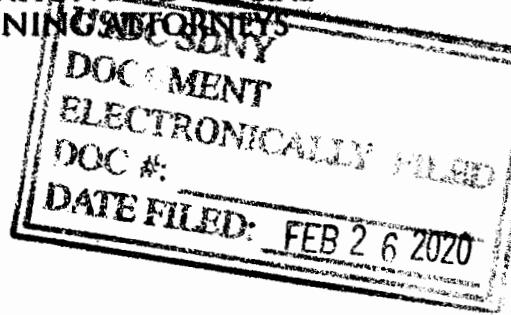




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Via ECF

February 24, 2020

Hon. George B. Daniels
United States District Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *B.T. et al. v. NYC DOE 1:19-cv-10895*
Joint Letter Requesting Adjournment

Dear Judge Daniels,

The parties write jointly to request an adjournment of the initial conference scheduled for March 11, 2020, at 9:30 a.m., to May 12, 2020, or a later date to be determined by the Court. This is the first request for an adjournment.

This is an action for attorneys' fees and related costs following two separate impartial due process hearings pursuant to the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1415. This is also an action pursuant to Title 42 of the United States Code, Section 1983 to redress the denial to plaintiff by defendant of protected liberty interests and rights without due process of law. On December 30, 2019, defendant was granted an extension of time until February 24, 2020 to answer the complaint (Docket No. 8). On February 10, 2020, plaintiff filed a first amended complaint (Docket No. 9) in order to include an action for attorneys' fees and enforcement of the remedies ordered in a second administrative impartial due process hearing.

The parties wish to continue to engage in settlement discussions, but counsel for defendant requires additional time to investigate the implementation claims raised in the amended complaint, and counsel for plaintiff requires additional time to provide time sheets and billing records to defendant from the second administrative due process hearing. Plaintiff has provided defendant with time sheets for both administrative and federal fees for the first administrative due process hearing. An adjournment of the conference will allow the parties an

opportunity to continue to explore settlement, which may obviate the need for further litigation and limit the accrual of additional attorneys' fees.

Accordingly, the parties respectfully request an adjournment of the initial pre-trial conference from March 11, 2020, to May 12, 2020, or a later date to be determined by the Court.

Thank you for your consideration of this request.

Very truly yours,

s/ Kevin M. Mendillo
Attorney for Plaintiff

s/ Michael Pantalony
Attorney for Defendant